REMARKS

This is in response to the Office Action dated September 3, 2003. Reconsideration is respectfully requested.

Request for Extension of Time

Applicant hereby requests that the period for reply be extended two months, from December 3, 2003 to February 3, 2004. A check in the amount of $210 is enclosed to cover the two-month extension pursuant to 37 CFR 1.17(a)(2).

Request for Continued Examination

Because the Action is final, applicant encloses herewith a Request for Continued Examination pursuant to 37 CFR 1.114. A check in the amount of $385 is enclosed to cover the fee pursuant to 37 CFR 1.17(e).

Interview Summary

Applicant thanks the Examiner for the interview granted his attorney on November 12, 2003. During the interview, amendments to Claims 1, 29 and 31 were discussed in conjunction with arguments against the rejections as to anticipation and obviousness in view of Australian Patent Specification AU 59,354/80 to Williams, cited by the Examiner. It was proposed by applicant's attorney that the claims be amended to recite that the insulation layer is sealed on its inner as well as its outer surface to prevent the release of fibers forming the insulation layer consistent with the teachings of the description, page 4, lines 15-18. The Examiner agreed that such recitations in the claims would overcome the rejections based upon the Williams reference but that further consideration and search would be required before patentability could be determined based upon the new recitation. The Examiner also stated that such claim amendments would only be entered in conjunction with a request

for continued examination in view of the finality of the Action.

Summary of Objections

The Abstract is objected to due to the use of legal phraseology. Applicant encloses herewith an amended Abstract, on a separate sheet, revised to eliminate the terms found objectionable.

Summary of Rejections

Claims 1 and 21-38 are pending and all are rejected, Claims 2-20 having been canceled in response to the restriction requirement in a previous Action dated January 29, 2003.

Claims 1 and 21-30 are rejected as anticipated by the aforementioned Williams reference. Claims 1 and 21-30 are rejected as obvious over U.S. Patent No. 3,598,157 to Farr et al. Claims 31-38 are rejected as obvious over Williams in view of either Farr et al or U.S. Patent No. 4,659,871 to Smith et al.

Arguments Against Claim Rejections

Independent Claims 1, 29 and 31 have been amended to recite that the insulation module according to the invention has an insulation layer comprised of fibers, the fibers being entirely sealed by a sealing agent over an inner surface that contacts an outer surface of the component being insulated by the module. The claims further recite that a cladding layer is directly adhered to the insulation layer at its outer surface. Thus, applicant's claims recite an insulation module wherein the insulation layer is completely sealed. These amendments are supported in the description at page 4, lines 15-18, which state:

> The sealing agent sealing the mineral fibres must be such as to substantially contain the fibres in normal use, that is substantially preventing environmentally unacceptable (as dictated by standards or regulations) escape or detachment of fibres, during normal use.

The insulation module as recited in the amended claims contrasts with that disclosed in Williams, wherein no sealing agent is expressly taught. The Examiner maintains, however, that Williams teaches that an adhesive layer is used to bond a cladding layer to the fibrous insulation layer, and this adhesive layer serves as a sealing agent. However, as discussed during the aforementioned interview, the adhesive layer in Williams, if it can be considered a sealing agent, does not extend over the inner surface of the insulation layer that contacts the component being insulated. Thus, in insulation modules according to Williams, insulation fibers may become detached from the inner surface of the insulation layer and escape during transport, handling and installation. This is inconsistent with applicant's teachings, wherein it is though advantageous to contain the fibers and prevent their escape or detachment from the insulation layer. Williams does not teach a sealing agent or an adhesive layer extending over the inner surface of the insulation layer as recited in applicant's amended claims. Williams cannot properly anticipate Claims 1, 29 or 31 because it does not teach every element of the claims as required, specifically, Williams fails to teach a sealing agent extending over the inner surface of the insulation layer.

There is, furthermore, no teaching in any of the cited references that would motivate one of ordinary skill in the art to modify Williams to include applicant's teaching of an insulation layer sealed to prevent escape of fibers comprising the layer.

Claims 21-28 depend upon Claim 1; Claim 30 depends upon Claim 29; and Claims 32-38 depend upon Claim 31. These dependent claims should be allowable over Williams for the same reasons that the independent claims upon which they depend are allowable.

Furthermore, Claims 1 and 21-30 should be allowable over Williams and Farr et al because neither cited reference teaches the sealing agent extending over the inner surface of the insulation layer as recited in Claim 1. The cited references cannot properly support a rejection of these claims on the basis of obviousness because the references do not teach or suggest all claim recitations as required to establish a prima facie case of obviousness.

Similarly, Claims 31-38, rejected as obvious over Williams and either Farr et al or Smith et al, should be allowable over these rejections because a prima facie case of obviousness cannot be supported. Again, there is no teaching in any of the cited references of the sealing agent as recited in applicant's claims.

Summary

Applicant has shown in the arguments presented above that the claims, as amended, are allowable over the cited prior art because the art neither teaches nor suggests all of the claim elements or recitations. Furthermore, there is no motivation to modify the cited references to obtain applicant's

invention. In view of these arguments and the claim amendments, applicant respectfully requests that all pending claims be allowed and the application passed to issue.

Respectfully submitted,

SYNNESTVEDT & LECHNER LLP

By: _____
John A. Chionchio
Reg. No. 40,954

1101 Market Street, Suite 2600
Philadelphia, PA 19107-2950
Telephone: (215) 923-4466
Facsimile: (215) 923-2189

JAC/dml
Enclosures

M:\DLarsen\WATERMARK\24524USA\24524RESPONSE.37CFR116